

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 8:23-cv-02242-DOC-ADSx

Date: January 3, 2024

Title: CALVIN GULLEY V. JAMES RIVER INSURANCE COMPANY

PRESENT: THE HONORABLE DAVID O. CARTER, U.S. DISTRICT JUDGE

Karlen Dubon
Courtroom Clerk

Not Present
Court Reporter

ATTORNEYS PRESENT FOR
PLAINTIFF:
None Present

ATTORNEYS PRESENT FOR
DEFENDANT:
None Present

**PROCEEDINGS (IN CHAMBERS): ORDER TO SHOW CAUSE
REGARDING AMOUNT IN
CONTROVERSY**

The Court is in receipt of Defendant James River Insurance Company's ("Defendant") Notice of Removal ("Notice" or "Not.") (Dkt. 1). In the Notice, Defendant argues that this Court has diversity jurisdiction over this case because the parties are diverse and the amount in controversy exceeds \$75,000. Not. at 4. The only evidence that Defendant cites regarding the amount in controversy is a section of Plaintiff's complaint demanding \$444,198 in attorneys' fees. *Id.* This Court, however, does not include attorneys' fees in the amount in controversy calculation. Accordingly, Defendant has not met its burden to show that the amount in controversy exceeds \$75,000.

Defendant is hereby **ORDERED TO SHOW CAUSE** that the amount in controversy, exclusive of attorneys' fees, exceeds \$75,000 by **January 11, 2024**. Defendant's response shall not exceed 6 pages. Failure to respond to this Order may result in the Court remanding this case to state court.

Further, the Court sets a **scheduling conference in this matter on January 29, 2024, at 8:30 a.m.**

The Clerk shall serve this minute order on the parties.

Initials of Deputy Clerk: kdu